

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
Southern District of New York

SUMMONS IN A CIVIL CASE

One Communications Corp., as successor in
interest to CTC Communications Group, Inc.
and CTC Communications Acquisition Corp.,

Plaintiff,

V.

'07 CIV 3905
CASE NUMBER:

JP Morgan SBIC LLC, Sixty Wall Street SBIC
Fund, L.P., The Megunticook Fund II, L.P.,
The Megunticook Side Fund II, L.P.,
Kevin O'Hare, Jeffrey Koester, Mellon Investor
Services LLC as nominal defendant as escrow
agent and Verizon New England Inc. as defendant
on a declaratory judgment claim,

JUDGE SWAIN

Defendants.

TO: (Name and address of Defendant)

See attached list of defendants.

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

TEITLER & TEITLER
John M. Teitler (JT-3111)
Nicholas W. Lobenthal (NL-1451)
1114 Avenue of the Americas
New York, NY 10036
(212) 997-4400

an answer to the complaint which is served upon you with this summons, within 20 days
after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by
default will be taken against you for the relief demanded in the complaint. Any answer that you serve
upon the parties to this action must be filed with the Clerk of this Court within a reasonable period of time
after service.

J. MICHAEL McMAHON
CLERK

DATE MAY 18 2007

Marcos Quintero
(BY) DEPUTY CLERK

LIST OF DEFENDANTS

JP Morgan SBIC LLC
C/o J.P. Morgan Partners, LLC
270 Park Avenue
New York, NY 10017
New York County

Sixty Wall Street SBIC Fund, L.P.
270 Park Avenue
New York, NY 10017
New York County

The Megunticook Fund II, L.P.
143 Newbury Street
Boston, MA 02116
Suffolk County

The Megunticook Side Fund II, L.P.
143 Newbury Street
Boston, MA 02116
Suffolk County

Kevin O'Hare
48 Steeplechase Drive
Doylestown, PA 18901
Bucks County

Jeffrey Koester
32 Haskell Lane
Marlborough, Massachusetts 01752
Middlesex County

Verizon New England Inc.
185 Franklin Street
Boston, MA 02110
Suffolk County

Mellon Investor Services LLC
480 Washington Boulevard
Jersey City, NJ 07310
Hudson County

AFFIDAVIT OF SERVICE THROUGH THE SECRETARY OF STATE

Index # 07 CIV 3905

Purchased/Filed: May 18, 2007

STATE OF NEW YORK

UNITED STATES DISTRICT COURT

SOUTHERN COUNTY

One Communications Corp., as Successor in interest to CTC Communications Group, Inc., et ano.

Plaintiff

against

JP Morgan SBIC LLC, Sixty Wall Street SBIC Fund, L.P., The Megunticook Fund II, L.P., et al.

Defendant

STATE OF NEW YORK
COUNTY OF ALBANY

SS.:

Jessica Miller, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on May 23, 2007, at 11:45am, at the office of the Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed

Summons in a Civil Case, Complaint, Rule 7.1 Disclosure Statement, Civil Cover Sheet, Individual Practices of Judge Laura Taylor Swain, 3rd Amended Instructions for Filing an Electronic Case or Appeal, Procedures for Electronic Case Filing, Guidelines for Electronic Case Filing, and Individual Practices of Magistrate Judge Andrew J. Peck Bearing the above index # and Filing Date on

The Megunticook Side Fund II, L.P., the Defendant in this action, by delivering to and leaving with Donna Christie, AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State of the State of New York, 1 true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of 40.00 dollars; That said service was made pursuant to Section 121-109 Revised Limited Partnership Act.

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant. A copy of this Affidavit and a copy of the papers have been sent to the defendant via Registered

Mail 7778 4256 4275 5000 0720 to The Corporation Trust Company, Corporation Trust Center 1209 Orange Street, Wilmington DE 19801, 7778 4256 4275 5000 0713 to 143 Newbury Street, Boston MA 02116 and 7778 4256 4275 5000 0706 to c/ Thomas N. Matlack, 137 Newbury st., Second Floor, Boston MA 02116.

Description of the person served: Approx. Age: 38 Approx. Wt: 140 Approx. Ht: 5'6

Color of skin: White Hair color: Blonde Sex: Female Other: _____

Sworn to before me on this

25th day of May 2007

Deborah A Bottisti (Berlin)

DEBORAH A BOTTISTI
NOTARY PUBLIC, State of New York
No 01BO6036756, Qualified in Albany County
Commission Expires February 7, 2010

Jessica Miller
Jessica Miller

Invoice•Work Order # 0611816

State of New York - Department of State
Receipt for Service

Receipt #: 200705240084
Date of Service: 05/23/2007
Service Company: 05 ATTORNEY'S PROCESS & RESEARCH SERVICES -

Cash #: 200705240072

Fee Paid: \$40 - DRAWDOWN

Service was directed to be made pursuant to: SECTION 121-109 OF THE REVISED
LIMITED PARTNERSHIP ACT

Party Served: THE MEGUNTICOOK SIDE FUND II, L.P.

Plaintiff/Petitioner:
ONE COMMUNICATIONS CORP.

Service of Process Address:

Secretary of State
By DONNA CHRISTIE

Registered No. 1078		Date Stamp 0206 04 MAY 25 2007 FORT ORANGE, NJ	
To Be Completed By Post Office	Reg. Fee	9.38.50	
	Handling Charge	\$0.00	Return Receipt 2.35
	Postage	2.67	Restricted Delivery \$0.00
	Received by		
	Customer Must Declare Full Value \$ \$0.00		
		<input type="checkbox"/> With Postal Insurance <input checked="" type="checkbox"/> Without Postal Insurance	Domestic Insurance up to \$25,000 is included in the fee. International Indemnity is limited. (See Reverse).
OFFICIAL USE			
To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	APRS PO Box 10277 Albany, NY 12201	
	TO	THE MONTGOMERY SIDE FUND II, L.P. c/o The Corporation Trust Company Corporation Trust Center 1209 Orange Street Wilmington, DE 19801	

PS Form 3806, **Receipt for Registered Mail** Copy 1 - Customer
 May 2004 (7530-02-000-9051) (See information on Reverse)
 For domestic delivery information, visit our website at www.usps.com®

To Be Completed By Post Office		Reg. Fee 9.50		0206	
		Handling Charge \$0.00	Return Receipt 2.35	04	
		Postage 2.67	Restricted Delivery \$0.00	05/25/07	
		Received by		Domestic insurance up to \$25,000 is included in the fee. International indemnity is limited. (See Reverse)	
		Customer Must Declare Full Value \$0.00		<input type="checkbox"/> With Postal Insurance <input checked="" type="checkbox"/> Without Postal Insurance	
OFFICIAL USE					
To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed		FROM	APRS PO Box 10277 Albany, NY 12201		
		TO	Town Meeting <u>Meganticock Side Fund II, LP</u> 143 Newbury St. Boston MA 02116		

PS Form 3806, **Receipt for Registered Mail** Copy 1 - Customer
 May 2004 (7530-02-000-9051) (See Information on Reverse)
 For domestic delivery information, visit our website at www.usps.com

To Be Completed
By Post Office

Reg. Fee	9.50	\$9.50
Handling Charge	\$0.00	
Postage	2.67	\$2.67
Return Receipt	2.05	\$2.05
Restricted Delivery	\$0.00	
Received by		

Customer Must Declare
Full Value \$ \$0.00☐ With Postal Insurance
☒ Without Postal Insurance
(See Reverse)Domestic Insurance up to
\$25,000 is included in the fee
International indemnity
is limited
(See Reverse)

OFFICIAL USE

To Be Completed By Customer
(Please Print)
All Entries Must Be in Ballpoint or Typed

FROM	APRS PO Box 10277 Albany, NY 12201
TO	The Massachusetts Side Fund II, L.P. c/o Thomas N. Matlack 137 Newbury St., Second Floor Boston MA 02116

PS Form 3806, Receipt for Registered Mail
May 2004 (7530-02-000-9051)Copy 1 - Customer
(See Information on Reverse)
For domestic delivery information, visit our website at www.usps.com

United States District Court

County of Southern District of NY

One Communications Corp., Successor in interest to CTC Communications Group, Inc. et ano.

vs

JP Morgan SBIC LLC, Sixty Wall Street SBIC Fund, L.P., The Megunticook Fund II, L.P., et al.

Index Number: 07 CIV 3905

Filed On: 5/18/2007

SUPPLEMENTAL AFFIDAVIT OF SERVICE/MAILING

Jessica Miller, being duly sworn, says:

I am over the age of 18 years and am not a party to this action. On the 25th of May, 2007 I sent on behalf of the Plaintiff herein a copy of the Summons in a Civil Case, Complaint, Rule 7.1 Disclosure Statement, Civil Cover Sheet, Individual Practices of Judge Laura Taylor Swain, 3rd Amended Instructions for Filing an Electronic Case or Appeal, Procedures for Electronic Case Filing, Guidelines for Electronic Case Filing and Individual Practices of Magistrate Judge Andrew J. Peck Bearing the above Index # and Filing Date together with notice of the service upon the Secretary of State thereof to The Megunticook Side Fund II, L.P., the Defendant herein, by registered mail via United States Postal Service (Registered Mail No. 7778 4256 4275 5000 0720, 7778 4256 4275 0706, 7778 4256 4275 5000 0713) in a securely sealed envelope with sufficient postage thereon with return receipt requested addressed to:

Delaware: The Corporation Trust Company, Corporation Trust Center 1209 Orange Street, Wilmington DE 19801

Massachusetts: c/o Thomas N. Matlack, 137 Newbury St. Second Floor, Boston MA 02116

Massachusetts: 143 Newbury St., Boston MA 02116

ATTACHED HERETO AND MADE A PART HEREOF IS THE

- ☒ SIGNED RETURN RECEIPT FROM THE DEFENDANT
- ☐ RETURNED MAIL
- ☐ UNCLAIMED
- ☐ RETURNED TO SENDER
- ☐ UNDELIVERABLE AS ADDRESSED

Sworn to before me this
7th day of June, 2007

Deborah A. Bottisti (beetli)

Deborah A. Bottisti
Notary Public, State of New York
No. 01BO6036756
Qualified In Albany County
Commission Expires February 7, 2010

Jessica Miller

Jessica Miller

7778 4256 4275 5000 0720

3. Service Type **REGISTERED MAIL**4. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

0611816-B
The Megunticook Side Fund II, L.P.
The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

A. Received By (Please Print Clearly)

JOSEPH TABIRI

B. Date of Delivery

5/31/07

C. Signature

X

☒ Agent
☐ Addressee

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes
☐ No

Reference Information



PS Form 3811, July 2001

Domestic Return Receipt



7778 4256 4275 5000 0706

3. Service Type **REGISTERED MAIL**4. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

0611816
The Megunticook Side Fund II, L.P.
c/o Thomas N. Matlack
137 Newbury St.
Second Floor
Boston, MA 02116

A. Receiver's Name (Please Print Clearly)

VAUGHAN

B. Date of Delivery

5-31-07

C. Signature

X VAUGHAN

CMatlack
☐ Agent
☐ Address
D. Is delivery address different from item 1?
If YES, enter delivery address below:
☐ Yes
☐ No

Reference Information



7778 4256 4275 5000 0713

3. Service Type **REGISTERED MAIL**4. Restricted Delivery? (Extra Fee) ☐ Yes

1. Addressee Addressed to:

0611816-A
The Megunticook Side Fund II, L.P.
143 Newbury St.
Boston, MA 02116

A. Receiver's Signature (Please Print Clearly)

VAUGHAN

B. Date of Delivery

5-31-07

C. Signature

x *CMVack*☐ Agent
☐ AddressD. Is delivery address different from item 1?
If YES, enter delivery address below:☐ Yes
☐ NoReference Information